

## CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this document (including any paper referred to as being attached or enclosed) is being sent to the U.S. Patent and Trademark Office via facsimile transmission to (703) 872-9307 on the date indicated below, with a coversheet addressed to Assistant Commissioner for Patents, U.S. Patent and Trademark Office, Washington, D.C., 20231.

Date: January 3, 2003By: Kelli N. Watson  
Kelli N. Watson, Registration No. 47,170CONTINUED PROSECUTION APPLICATION (CPA)  
REQUEST TRANSMITTAL

Submit an original, and a duplicate for fee processing  
(Only for Continuation or Divisional applications under 37 CFR 1.53(d))

Commissioner for Patents  
Box CPA  
Washington, DC 20231

Attorney Docket No.: 45112-041  
First Named Inventor: Steven BESSETTE  
Examiner: H. Lilling  
Group Art Unit: 1651

This is a request for a Continuation application under 37 CFR 1.53(d) (continued prosecution application (CPA)) of prior application number 09/455,542 filed on July 8, 2002 which is a CPA of 09/455,542, filed on December 07, 1999, both entitled CANCER TREATMENT COMPOSITIONS AND METHOD USING NATURAL PLANT ESSENTIAL OILS.

## NOTES

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR 1.51(b) and filed on or after June 8, 1995, or (2) the national state of an international application in compliance with 35 USC 371 and filed on or after June 8, 1995.

**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 USC 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

**35 USC 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 USC 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(a).

1. ☒ Enter the unentered amendment previously filed on November 15, 2002 under 37 CFR 1.116 in the prior nonprovisional application.
2. ☐ A preliminary amendment is enclosed
3. This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
  - a. ☐ DELETE the following inventor(s) named in the prior nonprovisional application:
  - b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.

WDC99 699278-1.045112.0041

Application No.: Divisional of 09/455,542  
 Attorney Docket No.: 045112-0041

## 5. Information Disclosure Statement (IDS) is enclosed:

- a. ☐ PTO-1449  
 b. ☐ Copies of IDS Citations

	NO. OF CLAIMS		EXTRA CLAIMS	RATE	AMOUNT
Total Claims	3	-20	0	\$18.00 =	\$0.00
Independent Claims	1	-3	0	\$84.00 =	\$0.00
Basic Application Fee					\$750.00
If multiple dependent claims are presented, add \$0.00					\$0.00
Total Application Fee					\$750.00
Subtract 1/2 if small entity					\$375.00
<b>TOTAL APPLICATION FEE DUE</b>					<b>\$375.00</b>
<b>AMOUNT TO BE CHARGED TO DEPOSIT ACCOUNT NO. 500417</b>					<b>\$375.00</b>

## 6. Small entity status:

- a. ☐ A small entity statement is enclosed.  
 b. ☒ A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.  
 c. ☐ Is no longer claimed

## 7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 500417;

- a. ☒ Fees required under 37 CFR 1.16.  
 b. ☒ Fees required under 37 CFR 1.17.

## 8. A three month petition for an extension of time under 37 CFR 1.136 is hereby made. Please charge the small entity fee of \$410.00 which represents the cost of a three month extension of time minus the cost (\$55.00) of a small entity one month extension of time paid contemporaneously with the filing of the Amendment After Final Rejection on November 15, 2002. To the extent necessary, please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

9. ☐ Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.1.03(c) for a period of \_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)

NOTE: The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below.

Respectfully submitted,  
 McDERMOTT, WILL & EMERY



Kelli N. Watson  
 Registration No. 47,170

WDC99 699278-1.045112.0041

Application No.: Divisional of 09/455,542  
Attorney Docket No.: 045112-0041

600 13<sup>th</sup> Street, N.W.  
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Date: January 3, 2002

By: *Keith N. Watson*  
Keith N. Watson, Registration No. 47,170

WDC99 699278-1.045112.0041

Received from < > at 1/3/03 3:46:53 PM [Eastern Standard Time]

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MCDERMOTT, WILL & EMERY

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JAN 06 2003

GROUP 1600

**FROM:**

Attorney: Kelli N. Watson Direct Phone: 202-756-8351  
Attorney's E-Mail: kwatson@mwe.com  
Secretary: Jacquiline Reid-Johnson Direct Phone: 202-756-8668  
Client/Matter/Tkpr: 45112-0041 Date: January 3, 2003 Time Sent: \_\_\_\_\_  
Number of pages including this page: 4

**TO:**

Name: Assistant Commissioner for Patents Facsimile No. 703-872-9307  
Group Art Unit 1651  
Company: c/o Exr. Lilling Contact No. \_\_\_\_\_

Attached for filing in Application Serial No. 09/455,542 is:

1) Request for Continued Prosecution Application

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WDC99 697338-1.045112.0200

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